

Exhibit H

REPORTER'S RECORD

VOLUME OF VOLUMES

TRIAL COURT CAUSE NO. DC-12-14350

LINDA BATISTE (IN THE DISTRICT COURT
VS.

DALLAS COUNTY, TEXAS (

JOHN ROBERT MCNABB, M.D., (
JOHNSON & JOHNSON, AND

ETHICON, INC. (95TH JUDICIAL DISTRICT

TRIAL PROCEEDINGS

On the 26th day of March, 2014, the following
proceedings came on to be held in the above-titled and
numbered cause before the Honorable, Judge Ken Molberg
Presiding, held in Dallas, Dallas County, Texas.

Proceedings reported by computerized
stenotype machine.

1 Q. Now, what that is saying, I think, tell me if
2 I'm wrong, is that what these authors and investigators
3 found is that a lot of times women who have these mesh
4 products implanted permanently in them, they then
5 subsequently end up going to another doctor when they
6 have problems, correct?

7 A. Yes, potentially.

8 Q. And you've known that as a doctor yourself and
9 as a medical director that sometimes or it can be quite
10 frequent that for whatever reason women will have these
11 implanted, they may decide they don't want to go back to
12 the doctor that put it in, and they could go to another
13 gynecologist or somebody else for this subsequent
14 treatment, correct?

15 A. Correct.

16 Q. And that init-- well, let me read on. This
17 trend has been reported in other studies as well. Right?

18 A. Right.

19 Q. This raises the potential concern that
20 physicians who perform these mesh procedures may not be
21 aware of the complications their patients experience and
22 that these providers may be responsible for future
23 mesh-related complications with no awareness of the
24 existing magnitude of the issue. Do you see that?

25 A. I see that.

1 Q. Highlighting the issue that you can't assume
2 that doctors out there in the communities know of the
3 severity and the duration of these chronic debilitating
4 complications, correct?

5 A. That's what that states.

6 Q. And because of that, it is incredibly important
7 for your company, especially because you're dealing with
8 an implant that will -- will be in the woman's body
9 forever potentially, that's why it's so important for you
10 as a manufacturer to do the right thing and make sure
11 when you know of the risks, the chronicness of them, the
12 duration, the severity, you should warn of them, correct?

13 A. Correct.

14 Q. A few things, and we're gaining on it, you've
15 talked a lot about how your company has done a lot of
16 things and tested a product and decided it wouldn't work
17 with stress urinary incontinence, correct?

18 A. It wouldn't work.

19 Q. You tested a new mesh. You were thinking that
20 you could --

21 A. Oh, okay.

22 Q. -- replace this --

23 A. Yes.

24 Q. -- old construction mesh. You pulled on it,
25 and it -- you decided it was too flexible and it wouldn't